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<u>Index Number</u> 1-1.359	<u>Related Standards</u> ACA 4-ALDF-4D-22, 22-1, 22-2, 22-3, 22-4, 22-5, 22-7, 22-8; PREA 115.11a-c; 115.13b-c; 115.16c; 115.21c-e; 115.33a,b,d,e,f; 115.31a-d; 115.41e; 115.51a,b,c,d; 115.53a-c; 115.54; 115.61a,b,d,e; 115.62a; 115.63a-d; 115.64a-b; 115.65; 115.67a-f; 115.71i; 115.73a-f; 115.76a-d; 115.77a-b, 115.78g; 115.81c-d; 115.86a-e; 115.87 a-e; 115.88a-d; 115.89a-d	<u>Approved By</u> 
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PURPOSE

To reduce the likelihood of sexual abuse/harassment in Davidson County Sheriff's Office (DCSO) facilities; to ensure inmates and staff receive information explaining how to report such incidents; to explain the legal ramifications of sexual abuse/harassment to staff and others who enter DCSO facilities; and to describe the procedures for responding to allegations.

POLICY

The DCSO strives to protect inmates from sexual abuse/harassment, and provides guidelines for inmates and staff to ensure such incidents are reported, investigated, and addressed. This policy complies with the provisions of the Prison Rape Elimination Act (PREA).

The DCSO has a zero tolerance policy toward sexual abuse/harassment. **PREA 115.11a**

DEFINITIONS

Inmate Classification – The process of assigning an inmate to a custody level and identifying his needs according to a specific plan.

Inmate Consensual Sexual Behavior [ICSB] – Sexual activity between inmates is deemed voluntary unless evidence indicates otherwise. Masturbation is also considered ICSB providing it was not directed at a particular inmate and that inmate has not complained about the act. Inmates participating in consensual sexual behavior with other inmates are disciplined. **PREA 115.78g**

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Inmate on Inmate Sexual Abuse [IOISA] – Includes inmate on inmate sexual penetration and inmate on inmate sexual contact if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse.

Inmate on inmate sexual penetration [IOISP] –

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva, or anus; or
- Penetration of the anal or genital opening of another inmate, however slight, by a hand, finger, object, or other instrument.

Inmate on inmate sexual contact [IOISC] – Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person. This excludes contact incidental to a physical altercation.

Inmate on Inmate Sexual Harassment [IOISH] – Repeated and unwelcome sexual advances, requests for sexual favors, verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another.

Jail Management System (JMS) – A computerized database information tracking system used by the DCSO.

Non-Professional Relationship – Staff/inmate interactions that go beyond the scope of the staff member’s duties, including showing favoritism, giving special favors, or becoming emotionally, romantically, physically, sexually, or financially involved.

Prison Rape Elimination Act (PREA) – A federal law related to the elimination, reduction, response to, and detection of sexual abuse/harassment of inmates.

PREA Compliance Manager (PCM) – An employee from each facility designated to coordinate the facility’s efforts to comply with the PREA standards.

PREA Coordinator – An employee who develops, implements, and oversees the DCSO’s efforts to comply with the PREA standards.

Sensitive Access Incident Report (SAIR) – A module staff uses to report sensitive information such as staff misconduct or family members and friends in custody. For additional information, see DCSO Policy # 1-3.108, “Incident Reports.”

Staff – For the purposes of this policy, “staff” or “staff member” refers to DCSO employees, contracted vendor employees, interns, and volunteers.

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Staff on Inmate Sexual Abuse [SOISA] – Includes any of the following acts, with or without the inmate’s consent: staff on inmate sexual penetration, staff on inmate sexual contact, staff on inmate indecent exposure, and staff on inmate voyeurism. Any attempt, threat, or request by staff to engage in sexual contact or penetration qualifies as attempted staff on inmate abuse [ASOISA].

Staff on inmate sexual penetration [SOISP] –

- contact between the penis and the vulva or the penis and anus, including penetration, however slight;
- contact between the mouth and the penis, vulva, or anus;
- contact between the mouth and any body part where the staff has the intent to abuse, arouse, or gratify sexual desire; or,
- penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff has the intent to abuse, arouse, or gratify sexual desire.

Staff on inmate sexual contact [SOISC] – Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, unrelated to official duties or where the staff intends to abuse, arouse, or gratify sexual desire.

Staff on inmate indecent exposure [SOIIE] – Any display by staff of his uncovered genitalia, buttocks, or breast in the presence of an inmate.

Staff on inmate voyeurism [SOIV] – Invasion of an inmate privacy by staff for reasons unrelated to official duties, such as peering at an inmate using a toilet; requiring an inmate to expose his buttocks, genitals, or breast; or taking images of all or part of an inmate’s naked body, or of an inmate performing bodily functions.

Staff on Inmate Sexual Harassment [SOISH] – Repeated verbal comments or gestures of a sexual nature to an inmate by staff, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

4-ALDF-4D-22-5

Vulnerable Adult – An adult inmate who cannot carry out daily living activities or protect himself from neglect or abuse because of mental/physical limitations or advanced age (over 60).

PROCEDURAL GUIDELINES

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PREA Coordinator and PREA Compliance Managers

The DCSO employs a full-time, upper-level agency-wide PREA coordinator with sufficient time and authority to develop, implement, and oversee the DCSO's efforts to comply with the PREA standards in all DCSO facilities. **PREA 115.11b**

The facility administrator of each correctional facility acts as the PREA compliance manager (PCM) and coordinates the facility's efforts to comply. **PREA 115.11c**

Reporting Related to This Policy

When a staff member encounters situations related to this policy, whether actual, attempted, or suspected, the staff member provides written documentation:

- DCSO employees and interns complete an incident report in JMS (alleged inmate or unknown perpetrator) or SAIR (alleged staff perpetrator) as appropriate. When the report is completed in SAIR, the employee or intern associates all relevant parties to the report and uploads any related documents. The employee or intern forwards the originals of the uploaded documents to the facility administrator.
- Contracted vendor employees submit an email or a copy of a completed company incident report to the facility administrator. The administrator completes a SAIR, associates all relevant parties and uploads the email, company incident report, and/or other related documents.
- Volunteers submit a report via email to the facility administrator. The administrator completes a SAIR, associates all relevant parties, and uploads the email and other related documents. 4-ALDF-4D-22-2

Preventing Inmate on Inmate Sexual Abuse/Harassment

Intake Procedures

Inmates receive information upon arrival about DCSO's zero tolerance policy of sexual abuse/harassment and how to report incidents or suspicions of sexual abuse/harassment. The information is provided orally and in writing in a language understood by the inmate. **PREA 115. 33a, d**

Inmates are screened within 72 hours of incarceration for potential vulnerabilities or tendencies of sexually aggressive behavior, or at any time additional relevant information is received. Classification employees use inmate interviews and available records from prior arrests or incarcerations to complete the "PREA Screening Assessment." See DCSO Policy # 1-4.101, "Classification." **PREA 115.41e**

If the inmate is a known sexual victim or aggressor according to the assessment, classification employees assign the appropriate flag in the special conditions menu of JMS and house the inmate accordingly. If the assessment shows the inmate is at risk for sexual victimization or sexual aggressiveness, appropriate housing assignments are made to limit the risk. If the assessment shows the inmate as both a known victim and known aggressor, the known aggressor status takes priority in placement decisions. **ALDF-4D-22-3**

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Mental health staff assesses inmates flagged as known victims or aggressors to determine the need for mental health services. If the assessment form indicates the inmate has experienced prior sexual victimization, the inmate is offered a follow-up meeting with medical or mental health staff within fourteen days of the assessment. Mental health staff also assesses an inmate identified by the assessment as an at-risk victim or an at-risk aggressor, and provides follow-up information to classification employees. **ALDF-4D-22-4; PREA 115.81c**

Inmate PREA Education

Within 30 days of intake, the DCSO provides comprehensive education to inmates regarding:

- how inmates can best protect themselves from sexual victimization;
- an inmate's right to be free from sexual abuse/harassment;
- an inmate's right to be free from retaliation for reporting such;
- DCSO policies and procedures for responding to and reporting such incidents; and,
- the availability of treatment and counseling services.

Inmate attendance in these sessions is documented as outlined in DCSO Policy # 1-4.600, "Case Management Services." **ALDF-4D-22; PREA 115.33b, e**

In addition to providing such education, the DCSO ensures key information is continuously and readily available or visible to inmates through posters and the inmate handbook. **PREA 115.33f**

Preventing Staff on Inmate Sexual Abuse/Harassment

Staffing Levels

The DCSO has established minimum staffing requirements for each facility as noted in DCSO Policy # 1-1.310, "General Employment Practices." Shift supervisors document the reason for any deviations from the plan using the shortage codes on the weekly timesheets. The PREA coordinator and DCSO administration review the staffing levels at least annually. **PREA 115.13b-c**

Staff PREA Education

Staff members receive training on identifying and preventing sexual abuse/harassment including:

- DCSO's zero tolerance policy for sexual abuse and sexual harassment;
- how to fulfill their responsibilities related to policies and procedures on prevention, detection, reporting, and responding;
- inmates' right to be free from sexual abuse/harassment;
- the right of inmates and staff to be free from retaliation for reporting sexual abuse/harassment;
- the dynamics of sexual abuse/harassment in confinement;
- the common reactions of sexual abuse/harassment victims;
- how to detect and respond to signs of threatened and actual sexual abuse;
- how to avoid inappropriate relationships with inmates;

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- how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and,
- how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

The training encompasses all inmates, but includes specifics related to each gender. **PREA 115.31a, b**

Staff members receive refresher training on sexual abuse/harassment policies each year. Training personnel maintain documentation of the training, and through employee signature or electronic verification, acknowledgment that the staff members understand the training they received. **PREA 115.31c, d**

Prohibition against Inappropriate Staff/Inmate Relations

Sexual contact or penetration between staff and inmates is a grave threat to institutional security, maintenance of orderly operation, and a felony under state law. It is never a defense that the inmate initiated, encouraged, or consented, unless the inmate did so by force or the act was otherwise involuntary. See also, DCSO Policy # 1-1.360, "Staff/Inmate Relations."

Staff members may not develop or reestablish a non-professional relationship with:

- inmates;
- immediate family members/associates of inmates;
- individuals participating in alternative sentencing programs (ASP) operated by the DCSO;
- immediate family members of those ASP individuals; or,
- former DCSO inmates who were incarcerated within the last six months.

Employees, vendors, and interns who engage in such misconduct are subject to discipline up to and including termination, and in some instances, felony criminal prosecution. (See "Criminal Sanctions" below.) A volunteer or official visitor is permanently banned from DCSO facilities.

Reporting and Responding to Allegations

An employee or intern aware of, or having information tending to show, that staff is or has been involved in a non-professional relationship with an inmate or former inmate is required to report the information to his immediate supervisor and document it as outlined in the "Reporting Related to This Policy" section above. An employee or intern who fails to do so is subject to disciplinary action up to and including termination. Such an employee or intern may also be liable for deliberate indifference under federal laws protecting prisoners from civil rights violations.

An employee or intern aware of an incident, suspicion, or allegation that an inmate has sexually abused/harassed another inmate reports the information to the correctional shift supervisor as detailed in the "First Responder" sections below. The employee or intern

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documents his actions as outlined in the “Reporting Related to This Policy” section above. The DCSO also protects inmates who report they are under an imminent threat of sexual abuse/harassment. Failure to do so is a violation of that employee’s legal duty to protect inmates and may constitute a violation of civil rights under federal law. **PREA 115.61a, 62**

A vendor or volunteer aware of an incident or allegation that an inmate has been sexually abused/harassed notifies a correctional staff member and documents the information as outlined above.

Exception: External attorneys, ministers, psychologists, and other professionals who maintain a legally protected confidential or privileged relationship are not required to report disclosures of sexual abuse/harassment learned through such communications unless state law mandates otherwise. This does not apply to DCSO staff.

Inmates who are victims of sexual abuse/harassment may confidentially disclose such to any DCSO staff, in person, by metro-mail, by phone, anonymously, or through a third party such as an attorney or family member. These avenues are also available to inmates reporting retaliation, staff neglect, or a violation of responsibilities that may have contributed to such incidents. **PREA 115.51a, c, 115.54**

Staff members must report any sexual abuse/harassment allegation as outlined in the first responder sections below. Information about the allegation is only shared with those who have a need to know in order to address the complaint, provide medical and mental health treatment, and/or to make security and management decisions including housing, bed, work, education, and program assignments to maintain the integrity of the investigation and the privacy of the victim. Retaliation for reporting, and any neglect that may have contributed to the incident, must also be reported to the immediate supervisor. **PREA 115.41i, 115.61a, b, e, 115.81d**

DCSO employees and interns may confidentially report sexual abuse/harassment involving staff members using the SAIR module. **PREA 115.51d**

When the alleged victim is a juvenile inmate bound over to be tried as an adult, the investigating authority reports the allegation to the Tennessee Department of Children Services. When the alleged victim is a vulnerable adult, the investigating authority reports the allegation to Tennessee Adult Protective Services. **PREA 115.61d**

A staff first responder responds to allegations consistently, making no judgment on whether the reported incident occurred. The DCSO does not rely on inmate interpreters, readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the inmate’s safety, the performance of the first responder duties, or the investigation. See also DCSO Policy # 1-1.153, “Reasonable

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Accommodations for Inmates and the Public,” and # 1-1.154, “Title VI Compliance for Inmates and the Public.” PREA 115.16c

The DCSO maintains a documented plan to coordinate actions taken by first responders, medical and mental health staff, investigators, and facility administration in response to an incident of sexual abuse. PREA 115.65

Correctional First Responder Duties for Complaints of Sexual Contact or Penetration

- Get the basic facts of the complaint and separate the victim from others. Isolate an inmate perpetrator if identified;
- Notify the correctional shift supervisor without delay;
- For an alleged penetration complaint:
 - a. Ask the victim/ensure the inmate perpetrator does not take any actions that could destroy physical evidence such as washing, brushing teeth, changing clothes, using the bathroom, drinking, or eating.
 - b. If the alleged incident occurred within the last 96 hours, preserve and protect the crime scene, such as an individual two-person cell, to allow for the collection of physical evidence. If the alleged incident occurred in an open dormitory setting, cordon off the area and restrict activity there until released by investigators. See DCSO Policy # 1-3.142, “Preservation of Criminal Evidence.”
- Ensure the victim is seen by medical to address immediate medical concerns; and,
- Document the inmates’ statements and staff actions. PREA 115.64a(1-4)

Non-Correctional First Responder Duties for Complaints of Sexual Contact or Penetration

- Separate the victim and get the basic facts of complaint;
- For a penetration complaint, ask the victim to not take any actions that could destroy physical evidence;
- Notify correctional staff (who will assume the duties as the first responder and must take any actions listed above that have not already occurred) and notify the non-correctional supervisor; and,
- Document the inmates’ statements and staff actions. PREA 115.64b

Correctional Shift Supervisor Duties

- Call the on-call investigator, and notify the facility administrator/designee and PREA coordinator;
- Ensure all first responder duties are completed;
- Have victim and perpetrator seen by mental health staff; and,
- Have a staff perpetrator reassigned and segregate an inmate perpetrator pending investigation.

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In addition to contract and penetration complaints, mental health personnel evaluate alleged inmate perpetrators and victims of other complaints of sexual abuse/harassment. Such complaints are addressed using the same basic response criteria, but may not require actions such as securing the crime scene or making admonitions to not destroy physical evidence. See the "Investigation and Documentation" section below for more information.

An employee alleged to have sexually abused/harassed an inmate is assigned to a post where there is no contact with inmates of the same gender as the alleged victim pending the results of the investigation.

An allegation of nonconsensual sexual contact or penetration may be deemed unfounded during initial inquiry. Otherwise, and regardless of the inmate's wishes, the investigation division receives the complaint and reports it to the Metropolitan Nashville Police Department (MNPd). See also DCSO Policy # 1-1.361, "Investigations."

Facility medical staff members provide medical care as needed, and orders the inmate transported for hospital care as medically appropriate. Otherwise, the inmate is transported to the hospital only at the direction of the responding Metropolitan Nashville Police Department (MNPd) detective for forensic evaluation by hospital staff.

In addition to segregating an alleged inmate perpetrator, classification officers isolate other involved parties if safety or security concerns indicate segregation is appropriate. No inmate disciplinary charges are filed while the investigation is still pending.

Complaints Involving Other Jurisdictions/Facilities

Upon receiving an allegation that an inmate was sexually abused while confined in another jurisdiction/facility, the first responder notifies the shift supervisor who informs the PREA coordinator and appropriate PCM. The PREA coordinator ensures the identified agency is notified within 72 hours of receiving the allegation, and documents that notification in JMS or SAIR as appropriate. **PREA 115.63a-c**

When the complaint originates from the Metro Detention Facility, DCSO personnel follow-up with investigators from that facility to ensure the complaint is addressed. **PREA 115.63d**

Sexual Assault Pre-Arrest (SAPA)

SAPA complaints involve allegations of sexual abuse that reportedly took place while the victim/inmate was in the community, including the time during the arrest up to the transfer of custody to the DCSO. After receiving such a complaint, the employee notifies the area/shift supervisor who in turn contacts the MNPd to report the allegation.

For a penetration complaint within the last 96 hours, the employee asks the victim to not take any actions that could destroy physical evidence, and ensures the inmate is seen by medical

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personnel to address immediate medical concerns. The employee completes an incident report using the JMS incident type "SAPA" and notifies the PREA coordinator via email. MNPD personnel handle the complaint as required by the MNPD. It is not necessary to notify the DCSO investigative division.

Victim Advocacy

The inmate victim may request a victim advocate to accompany and support him through the investigatory interviews and/or forensic evaluation. When requested, the investigator contacts the mental health supervisor and a mental health staff member responds to the correctional facility to provide advocacy. PREA 115.21c-e

Pursuant to a memorandum of understanding with the Sexual Assault Center (SAC), the DCSO provides to inmates the address and a telephone number for the SAC as a resource for emotional support related to sexual abuse. As noted in the inmate handbook, there is no charge for phone calls to the SAC, and the calls are not recorded to ensure confidentiality. PREA 115.53a-c

Investigation and Documentation

Allegations of inmate on inmate sexual harassment [IOISH] are reported to the shift supervisor and investigated by the designated facility PCM/designee. The PCM reviews the JMS reports to ensure the complaint and investigation are documented in detail, and adds the disposition as part of the incident report.

Allegations of staff on inmate sexual harassment [SOISH], voyeurism [SOIV], and indecent exposure [SOIIE] are investigated by the PCM or referred to the investigations division.

Allegations involving staff, contact, or penetration are assigned an investigative case number regardless of the investigating authority. Each allegation is investigated by the PCM or the investigation division as noted, and the results of the investigation documented in an investigative case file.

As noted above, allegations of sexual contact or penetration [IOISC, IOISP, SOISC, and SOISP] are referred to the investigations division.

Investigations are conducted in a non-abusive and non-threatening manner. See DCSO Policy # 1-1.361, "Investigations," for further information.

Protection against Retaliation

Neither staff nor inmates retaliate against staff or inmates who report sexual abuse/harassment or who cooperate with such investigations. PREA 115.67a

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For at least 90 days following a report of sexual abuse, the PCM/designee conducts monthly status checks on alleged inmate victims, inmate complainants, and cooperating witnesses who express a fear of retaliation. Emotional support is available for such inmates through mental health services. The PCM/designee reviews the inmate's disciplinary reports, housing locations, and program participation for changes suggestive of retaliation. He documents the findings in a JMS case note, and acts promptly to remedy any retaliation. **PREA 115.67b-e**

The PCM monitors performance reviews, including disciplinary actions, and reassignments of staff complainants of sexual abuse. The PCM conducts such monitoring monthly for at least 90 days and documents it in the SAIR module. Employees and interns may receive support services through PASS. **PREA 115.67b, c**

The PCM continues to monitor inmates and staff beyond 90 days if the initial monitoring indicates a continuing need. If an allegation is determined to be unfounded, monitoring is terminated. **PREA 115.67f**

Information Provided to Inmates after Allegations

Following a sexual abuse investigation, the investigating authority advises the alleged victim of the disposition. During the inmate's current incarceration, and unless the allegation is deemed unfounded, the investigating authority advises the alleged victim if/when:

- the alleged staff perpetrator is no longer posted within the inmate's unit;
- the alleged staff perpetrator is no longer employed by the DCSO;
- the DCSO learns that the alleged staff or inmate perpetrator has been indicted of a charge related to sexual abuse within the facility; or
- the DCSO learns that the alleged staff or inmate perpetrator has been convicted of a charge related to sexual abuse within the facility.

The investigating authority documents such notifications in the case file. **PREA 115.73a-f**

Disciplinary Sanctions

Employees are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse/harassment policies. Termination is the presumptive disciplinary sanction for employees engaging in sexual abuse. Disciplinary sanctions for other violations of policy relating to sexual abuse/harassment, such as failure to report, are based on the nature and circumstances of the incident, the employee's conduct history, and the sanctions imposed for comparable offenses by other employees with similar histories. **PREA 115.76a-c**

Inmates are disciplined as outlined in DCSO Policy # 1-3.300, "Inmate Discipline."

Criminal Sanctions

At a minimum, it is a Class E felony for staff to engage in sexual contact or penetration with an inmate, regardless of whether such conduct is portrayed as consensual or takes place on or away from DCSO premises. Class E felonies carry a penalty of up to six years in prison.

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Notification to Criminal Law Enforcement and Licensing Bodies

As noted, allegations of sexual contact and penetration that are not deemed unfounded during initial inquiry are reported to MNPd. If an employee or intern is terminated or resigns in lieu of termination for violating sexual abuse/harassment policies, the violation is reported to MNPd unless the activity was not criminal. If the employee possesses a professional license relating to employment with the DCSO, the licensing body is notified. **PREA 115.76d**

A vendor or volunteer engaging in sexual abuse is prohibited from contact with inmates and reported to relevant licensing bodies and law enforcement agencies unless the activity was clearly not criminal. **PREA 115.77a**

In the case of any other violation of sexual abuse/harassment policies by a vendor or volunteer, the DCSO takes remedial measures and considers whether to prohibit further contact with inmates. **PREA 115.77b**

Sexual Abuse Incident Reviews

Unless the allegation was determined to be unfounded, the DCSO ordinarily conducts a sexual abuse incident review within 30 days after a sexual abuse investigation ends. The chief of corrections/designee, PREA coordinator, facility administrators/PCMs, investigators, and medical and mental health practitioners conduct the review using the parameters outlined on the "Sexual Abuse Incident Review" form, and document any recommendations for improvement. The facility administrator ensures the recommended improvements are implemented, or documents the reason for not doing so on the form, which the facility administrator signs and returns to the PREA coordinator. **PREA 115.86a- e**

Data Collection, Storage, and Publication

The PREA coordinator and investigative personnel securely maintain uniform data about allegations of sexual abuse, including at a minimum, that necessary to answer all questions from the Justice Department's most recent Survey of Sexual Violence. At least annually, the DCSO aggregates the incident-based sexual abuse data from reports, investigative files, and sexual abuse incident reviews. The DCSO also obtains incident-based and aggregated sexual abuse data from the contractors operating the Metro Davidson County Detention Facility. **PREA 115.87a-e**

Upon request, the DCSO provides such data from the previous calendar year to the Justice Department no later than June 30. **PREA 115.87f**

The DCSO reviews the data in order to assess and improve the effectiveness of sexual abuse/harassment policies and procedures. The PREA coordinator prepares an annual report identifying any problem areas and corrective actions for each facility and the DCSO as a whole. The report includes a comparison of the current year's data and corrective actions with those

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from prior years, as well as an assessment of the DCSO's progress in addressing sexual abuse. The sheriff-approved report is published on the DCSO website. PREA 115.88a-d

The DCSO makes the non-identifying, aggregated data readily available to the public at least annually through the agency website and maintains it for at least ten years after the date of the initial collection unless the federal, state, or local law requires otherwise. PREA 115.89a-d

Investigative case files for sexual abuse complaints are retained as long as the DCSO incarcerates or employs the alleged abuser, plus five years. 4-ALDF-4D-22-8; PREA 115.71i

Special Provision for Immigrations and Customs Enforcement (ICE) Detainees

In addition to the reporting guidelines above, inmates detained solely for immigration purposes receive information about how to contact their consular officials, officials at the Department of Homeland Security, and immigration services agencies. PREA 115.51b, 115.53a